## UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

NORTHEASTERN LAND SERVICES, LTD. d/b/a THE NLS GROUP

and

Case 01-CA-039447

**JAMISON JOHN DUPUY** 

## ORDER

The Charging Party's Request for Review of the Acting General Counsel's decision affirming the Regional Director's compliance determination is denied. The Charging Party contends, among other things, that the Regional Director abused her discretion by entering into a compliance settlement agreement with the Respondent resolving disputed compliance issues concerning backpay, derivative liability, and the waiver of interest accruing during the installment payment period. We find that, under the circumstances, the Regional Director did not err in accepting the settlement agreement.<sup>1</sup> Thus, we conclude that the Charging Party has failed to establish a sufficient basis for reversing the Regional Director's compliance determination.<sup>2</sup>

Dated, Washington, D.C., September 4, 2013.

MARK GASTON PEARCE, CHAIRMAN

PHILIP A. MISCIMARRA, MEMBER

KENT Y. HIROZAWA, MEMBER

<sup>&</sup>lt;sup>1</sup> We note that the waiver of interest during the payment period is expressly conditioned on the timely receipt of every payment, and the settlement does not reduce or compromise the backpay due in any other manner.

<sup>&</sup>lt;sup>2</sup> In so finding, we disavow the Regional Director's speculation that the Charging Party would have rejected any offer of reinstatement regardless of its terms. We also reject the Charging Party's request that we refer this matter to the Office of the Inspector General, because we do not find that the Region's staff engaged in fraud, duress, falsification, or other improper or arguably improper conduct.